

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN F. GIBSON,

Defendant.

Case No. 22-cr-40028-JPG-1

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Steven F. Gibson's motion for a reduction of his criminal sentence pursuant to 18 U.S.C. § 3582(c)(2) and United States Sentencing Guidelines Manual ("U.S.S.G.") § 1B1.10, making Amendment 821 retroactive (Doc. 38). The Government agrees with the motion (Doc. 40).

The parties agree that the defendant is eligible for a reduction under Part A of Amendment 821, which amended U.S.S.G. § 4A1.1(e) (2023) and concerns criminal history points awarded because a defendant was under a criminal sentence when he committed his offense of conviction ("status points"). Under Amendment 821, the defendant's 2 status points are reduced to 1 status point, and his criminal history category is reduced from VI to V. The result is that his guideline sentencing range is lowered. Considering this lowered range, the parties agree that it is appropriate to reduce the defendant's sentence from 149 months and 13 days (the low end of the guideline range minus time served on related state cases) to 138 months and 13 days in prison on each count. The Court agrees for the reasons set forth in the motion.

Accordingly, the Court **GRANTS** the motion (Doc. 38) and reduces the defendant's sentence of imprisonment from 149 months and 13 days to **138 months and 13 days** on each count, effective February 1, 2024. The Court attaches its standard order (AO Form 247) reflecting the sentence reduction.

IT IS SO ORDERED.

DATED: January 16, 2024

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE